

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA WESTERN DIVISION

ALDANI BYRD,)	
Plaintiff,)	
v.)	CASE NO.:
LAUDERDALE COUNTY BOARD OF EDUCATION,)	CV-02-RRA-2411-W
Defendant.)	

Memorandum of Opinion

Presently before the Court is the Motion to Dismiss the Counterclaim filed in this matter. (Doc. 10). On October 3, 2005, the Magistrate recommended that the Counterclaim be dismissed. The time for objecting to said Report and Recommendation has expired and no objection has been filed.

After careful consideration this Court **ADOPTS** the Report and Recommendation of the Magistrate. The counterclaim will be **DISMISSED**. An appropriate order will be entered **DONE** this 19th day of October, 2005.

WILLIAM M. ACKER, JR.

UNITED STATES DISTRICT JUDGE